IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE SEVENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO: 9757 of 1998

Between:

M/S Ajantha Industries (M.A.S.Unit APSSIDC) rep.by its

ProprietorPaddapalle Ashok Kumar S/o Kanthaiah R/o 3/980-I,

Peddannaguda, Hanmakonda, Warangal District

... PETITIONER

AND

1 The Vice Chairman & Managing Director AP. Small Scale

Industries Development Corporation, Hyderabad
2 The Dy. Commercial Tax officer-I
Hanmakonda, Warnagal District

...RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue Writ, Order or direction particularly one in the nature of Writ of Mandamus, declaring the action of the 1st Respondent in not releasing the amount of 10% and 90% payable to the petitioner industry by the 1st Respondent in pursuance of Proc.No.MK/STDE/MAS/Msic. /97-98 dt. 8/25-9-1997 and further the action sought by the 2nd Respondent by his proceedings No. 8318/97-98 dt. 30/03/1998 issued by the 2nd Respondent as arbitrary, illegal, unjust, contrary to law and also against the principles of natural justice and in violation of Art. 14,19 and 21 of the Constitution of India and consequently direct the 1st Respondent to release the amounts of 10% and 90% for the supply of furniture by the petitioner industry and set aside the Ir.No.8318/97-98 dt. 30/03/1998 issued by the 2nd respondent in the interest of Justice.

Counsel for the Petitioner: MR.P.SRIDHAR RAO (Not present)

Counsel for the Respondents: MR.N.SUBBA REDDY

The Court made the following:

ORDER:

When the matter was listed on 04-03-2005, none appeared for the petitioner, neither was there any representation. Hence, the matter was directed to be listed today under the caption 'for dismissal'.

Inspite of posting the matter 'for dismissal', today, when the matter was taken up, none appears for the petitioner, no representation either.

Hence, the writ petition is dismissed for non-prosecution. No order as to costs.

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N.V. RAMANA, J

March 7, 2005

MRR

Copy to:

1 The Vice Chairman & Managing Director AP. Small Scale

Industries Development Corporation, Hyderabad

2 The Dy. Commercial Tax officer-I
Hanmakonda, Warnagal District

3 Two C.D. Copies.